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REMARKS

I. Amendments

Applicants have amended the specification to include a brief description of the drawings. Additionally, the specification and claims have been amended to change "emollient" (German term "weichmacher") to --plasticizer--, and "antiblocking" (German term "antihafmittel") to --antitacking--. The replacement terms are more appropriate translations of the corresponding German terms originally disclosed in the priority German patent document number 19626045.0.

Furthermore, the claims have been amended to claim a method of inhibiting gastric acid secretion comprising the administration of the stable medicament or formulation of the claims as originally filed. Support for the claim amendment is found in the specification at page 1, lines 6-17. Applicants also rely on M.P.E.P. §2164.01(c), entitled "How to Use the Claimed Invention" and the case law cited in that section.

Applicants submit that no new matter has been introduced by the claim amendments.

II. Information Disclosure Statement

The Examiner is requested to provide a copy of the Form PTO-1449 showing that the Examiner considered the documents cited in the Information Disclosure Statement, filed September 16, 2003.

III. Claim rejection – 35 U.S.C. §101

Claims 1-3 are rejected under 35 U.S.C. §101 as claiming the same subject matter as that of claims 1-3 of US 6,623,759. Applicants submit that the rejection is moot in view of the claim amendments. Amended claims 1-3 of the instant application are directed to a method of treatment whereas claims 1-3 of US 6,623,759 are directed to a different category, i.e., a product.

Withdrawal of the rejection under 35 U.S.C. §101 is requested.

IV. Claim objection – 37 C.F.R. §1.75(c)

Claims 4-28 are objected to under 35 C.F.R. §1.75(c). Specifically, claims 4, 6, 7, 9, 11-13, 16, 17-21, 25 and 28 are objected to as being in improper form because a multiple dependent claim should refer to other claims in the alternative only and/or cannot depend from any other multiple dependent claim. On the other hand, claims 5, 8, 10, 14, 15, 22-24, 26 and 27 are

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objected to as being of improper dependent form for failing to further limit the subject matter of a previous claim.

Applicants have made a good faith effort to remove the basis of the objections under 37 CFR. §1.75(c) with the claim amendments. With specific regard to the objection to claims 5, 8, 10, 14, 15, 22-24, 26 and 27, Applicants respectfully submit that these claims do further limit the subject matter of a previous claim. For example, the tenside (genus) as recited by claim 4 is further defined by claim 5 as being sodium lauryl sulfate, sorbitan fatty acid ester or polyethylene sorbitan fatty acid ester (species).

Withdrawal of the §1.75(c) is requested.

CONCLUSION

Upon entry of this Amendment, claims 1-20 and 25-27 are pending. Applicants respectfully submit that the application is in condition for allowance, which action is earnestly solicited.

The Commissioner is hereby authorized to charge any additional fee which may be due in connection with this communication to Deposit Account No. 23-1703.

Dated: 22 November 2005

Respectfully submitted,



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